

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699

Judge Charles R. Breyer

BETTY BRAGG, et al.,

Plaintiff,

STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL
WITHOUT PREJUDICE

v.

CASE NO. 3:05-cv-4782-CRB

PFIZER, INC., et al.,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff **John Lewis** is hereby dismissed without prejudice.

1. Plaintiff is John Lewis; defendants are Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle L.L.C.;
 2. On April 5, 2005, Plaintiff sued Defendants;
 3. Plaintiff moves to dismiss his claims against Defendants;
 4. Defendants have not answered these claims;
 5. This case is not a class action;
 6. A receiver has not been appointed to this action;
 7. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.
-

8. Should Plaintiff or a representative of Plaintiffs attempt to re-file his claims against Defendants, he shall do so only by filing said claims in Federal Court.

Respectfully submitted:

Dated: 8-10-06

By: Georgina
Gerald B. Taylor, Jr. (AL State Bar No. TAY026)
Email: jerry.taylor@beasleyallen.com
Navan Ward, Jr. (AL State Bar No. WAR062)
Email: navan.ward@beasleyallen.com
Jere L. Beasley (AL State Bar No. BEA020)
Email: jere.beasley@beasleyallen.com
Andy D. Birchfield, Jr. (AL State Bar No. BIR006)
Email: andy.birchfield@beasleyallen.com
BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.
Post Office Box 4160
Montgomery, Alabama 36103-4160
(334) 269-2343 telephone
(334) 954-7555 facsimile

Attorneys for Plaintiff John Lewis

GORDON & REES

Dated: 8-15-06

By: Stuart M. Gordon
Stuart M. Gordon, Esq.
Embarcadero Center West
275 Battery Street 20th Floor
San Francisco, CA 9411
(415) 986-5900 (Tel.)
(415) 986-8054 (Fax)

Defendant's Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 18, 2006

Honorable Charles R. Breyer
United States District Court

